

House File 2138 - Introduced

HOUSE FILE 2138

BY PETTENGILL

A BILL FOR

1 An Act relating to nonprofit corporation filing requirements.

2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 504.132, Code 2014, is amended to read
2 as follows:

3 **504.132 Secretary of state — internet site.**

4 1. The secretary of state shall place on the secretary
5 of state's internet site a link to a free internet site with
6 completed internal revenue service forms 990 and 990EZ.

7 2. The secretary of state shall create a searchable database
8 available on the secretary of state's internet site providing
9 electronic links to the articles of incorporation described
10 in section 504.202, the bylaws described in section 504.206,
11 and the emergency bylaws described in section 504.207 of each
12 domestic corporation and each foreign corporation authorized to
13 transact business in this state.

14 Sec. 2. Section 504.206, Code 2014, is amended by adding the
15 following new subsection:

16 NEW SUBSECTION. 3. By January 1, 2015, each domestic
17 corporation, and each foreign corporation authorized to
18 transact business in this state, shall deliver a copy of the
19 bylaws adopted pursuant to this section to the secretary of
20 state for filing.

21 Sec. 3. Section 504.207, Code 2014, is amended by adding the
22 following new subsection:

23 NEW SUBSECTION. 5. By January 1, 2015, each domestic
24 corporation, and each foreign corporation authorized to
25 transact business in this state, that has adopted emergency
26 bylaws pursuant to this section shall deliver a copy of the
27 emergency bylaws to the secretary of state for filing.

28 **EXPLANATION**

29 The inclusion of this explanation does not constitute agreement with
30 the explanation's substance by the members of the general assembly.

31 This bill relates to nonprofit corporation filing
32 requirements.

33 The bill requires that each domestic nonprofit corporation,
34 and each foreign nonprofit corporation authorized to transact
35 business in this state, deliver a copy of the corporation's

1 bylaws to the secretary of state for filing and a copy of
2 the corporation's emergency bylaws if that corporation has
3 adopted such emergency bylaws for filing. These corporations
4 are required to make such filings by January 1, 2015. The
5 secretary of state is generally required to collect a fee
6 for documents required or permitted to be filed, pursuant to
7 current Code section 504.113.

8 The bill further requires that the secretary of state create
9 a searchable database available on the secretary of state's
10 internet site providing links to the bylaws, emergency bylaws,
11 and articles of incorporation required to be filed by nonprofit
12 corporations with the secretary of state.